



[255] Attorney Docket No. : BET-105US

PATENT

3763
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nathan W. Levin, Daniel Schneditz, and Fansan Zhu
Serial No. : 10/089,831
Filed : April 4, 2002
For : METHODS AND APPARATUS FOR MEASURING THE VOLUME OF FLUID IN THE PERITONEAL CAVITY
Examiner : M. Hayes
Group : 3763

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that the following correspondence attached hereto is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

1. Information Disclosure Statement (1 page; with attached copy of International Search Report)
2. Modified 1449 Form (3 pages)
3. Cited References (23 references)
4. Certificate of Mailing (1 page; this page)
5. Return Receipt Postcard (1 card)

Date Mailed:

October 1, 2004

10/1/04
Date Signed

Maurice Klee
Maurice M. Klee, Ph.D.

[255] Attorney Docket No. : BET-105US

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INFORMATION DISCLOSURE STATEMENT

In accordance with 37 CFR §1.56 and 37 CFR §1.97(b)(3), applicants wish to call the Examiner's attention to the references listed on the Modified 1449 Form submitted herewith. Copies of these references are enclosed.

References 1, 3, and 8 were cited in a January 12, 2001 International Search Report regarding International Application No. PCT/US00/27048, of which this is the U.S. national phase. A copy of the January 12th search report is attached hereto.

The foregoing references are being submitted prior to the mailing date of a first substantive Office Action for this application and thus no fee under 37 CFR §1.17(p) is believed to be due for this submission. However, if a fee is required, applicants request that the fee be charged to Deposit Account No. 11-1158.

The Examiner is respectfully requested to initial a copy of the Modified 1449 Form and return it to applicants to indicate consideration of the references listed thereon in connection with the prosecution of this application.

Respectfully submitted,

Date: 10/1/04

Maurice Klee
Maurice M. Klee, Ph.D.
Reg. No. 30,399
Attorney for Applicant
1951 Burr Street
Fairfield, CT 06824
(203) 255-1400

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MODIFIED 1449 FORMU.S. PATENT DOCUMENTS

<u>Examiner Initial</u>		<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
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	<u>Document Number</u>	<u>Date</u>	<u>Country</u>
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- _____ 13. Rallison et al., "Errors in estimating peritoneal fluid by bioelectrical impedance analysis and total body electrical conductivity," Journal of the American College of Nutrition, 12:66-72, 1993.
- _____ 14. Schneditz et al., "Kinetics of fluid removal during hemodialysis (HD) measured by segmental bioimpedance," J Amer Soc Nephrol., 1997, A1334.
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- _____ 21. Zhu et al., "Changes in extracellular volume during hemodialysis and ultrafiltration estimated from sum of segmental bioimpedance analysis," ASIAO Abstracts, Annual Conference, New York, April 23-25, 1998, 73A.
- _____ 22. Zhu et al., "Effect of body position on estimation of extracellular volume (ECV) using whole body and segmental bioimpedance analysis," ASIAO Abstracts, Annual Conference, New York, April 23-25, 1998, 85A.
- _____ 23. Zhu et al., "Changes in body extracellular fluid during peritoneal dialysis measured by segmental bioimpedance analysis," Proceedings of the 15th International Congress of Nephrology, Buenos Aires, Argentina, May 2-6, 1999.